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NOTICE OF ALLOWANCE AND FEE(S) DUE

03/01/2011 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314

EXAMINER ROBINSON, LAUREN E ART UNIT DADED NUMBER 1784

DATE MAILED: 03/01/2011

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/581,056 | 12/19/2006 | Carinne Fleury | 291436US6PCT | 7112 |

TITLE OF INVENTION: TRANSPARENT SUBSTRATE WHICH CAN BE USED ALTERNATIVELY OR CUMULATIVELY FOR THERMAL CONTROL, ELECTROMAGNETIC ARMOUR AND HEATED GLAZING

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1510 | \$300 | \$0 | \$1810 | 06/01/2011 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown

B. If the status above is to be removed, check box 5b on Part B -Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

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II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail

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| maintenance fee notificat | ions. | | | | | | | tould be completed where correspondence address as rate "FEE ADDRESS" for |
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| | | | | | | | | (Depositors mine) |
| | | | | ⊢ | | | | (Signature) |
| | | | | | | | | (Date) |
| APPLICATION NO. | FILING DATE | FILING DATE | | FIRST NAMED INVENTOR | | ATTORNEY DOCKET NO | | CONFIRMATION NO. |
| 10/581,056 | 12/19/2006 | | | Carinne Fleury | 291436US6PCT | | 91436US6PCT | 7112 |
| TITLE OF INVENTION CONTROL, ELECTRON | | | | AN BE USED ALTER G | NATIVELY OR (| CUMU | LATIVELY FOR TH | ERMAL |
| APPLN. TYPE | SMALL ENTITY | ISS | UE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSU | EFEE | TOTAL FEE(S) DUE | DATE DUE |
| nonprovisional | NO | | \$1510 | \$300 | \$0 \$1810 | | \$1810 | 06/01/2011 |
| EXAM | INER | | ART UNIT | CLASS-SUBCLASS | 1 | | | |
| ROBINSON, | LAUREN E | | 1784 | 428-432000 | • | | | |
| 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Change of correspondence address (or Change of Correspondence Address form PTOSB/122) attached. Tee Address' indication of "Fee Address' Indication form PTOSB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. | | | Correspondence | (1) the names of up to or agents OR, alternati | of a single firm (having as a member a cruey or agent) and the names of up to satent attorneys or agents. If no name is | | | |
| | ess an assignee is ident n in 37 CFR 3.11. Comp BNEE | ified be pletion o | low, no assignee of this form is NO | (B) RESIDENCE: (CITY | atent. If an assign assignment. and STATE OR C | OUNT | RY) | cument has been filed for |
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| | SMALL ENTITY state | ıs. See 3 | 7 CFR 1.27. | b. Applicant is no lon | | | | |
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APPLICATION NO.

10/581.056

1940 DUKE STREET

ALEXANDRIA, VA 22314

22850

UNITED STATES PATENT AND TRADEMARK OFFICE

FILING DATE

12/19/2006

03/01/2011 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.

NITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

ATTORNEY DOCKET NO. CONFIRMATION NO.

291436US6PCT 7112

ROBINSON, LAUREN E ART UNIT

1784

DATE MAILED: 03/01/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

FIRST NAMED INVENTOR

Carinne Fleury

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 542 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 542 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom
 of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of
 records may be disclosed to the Department of Justice to determine whether disclosure of these
 records is required by the Freedom of Information Act.
- A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2004 and 2006. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Application No. Applicant(s) 10/581.056 FLEURY ET AL. Notice of Allowability Examiner Art Unit LAUREN ROBINSON 1784

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFB 1.313 and MPEP 1308.

- This communication is responsive to 31 January 2011.
- The allowed claim(s) is/are 1-7,10-15,32-36,38-42,53 and 55-76.
- 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) 🔯 All b) Some* c) None of the:
 - 1. T Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. X Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date
 - (b) I including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.

DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. | Notice of References Cited (PTO-892)
- 2. Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO/SB/08),
- Paper No./Mail Date 1/2011 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application
- Interview Summary (PTO-413). Paper No./Mail Date
- 7. X Examiner's Amendment/Comment
- 8. T Examiner's Statement of Reasons for Allowance

9.

☐ Other

/Timothy M. Speer/

Primary Examiner, Art Unit 1784

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REJOINDER

Claims 1-7, 10-15, 32, 34-36, 38-42 and 53 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 16-31, 33, 43-45, and 46-51, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104. Claims 16-31, 33, 43-45, and 46-51 have been rewritten as new claims 55-75. New claims 55-76 include all of the limitations of allowable product claim 1.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement as previously set forth is hereby withdrawn. In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

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by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michel Bohn on February 9, 2011.

The application has been amended as follows:

In the claims:

<u>Claim 1</u>: In line 4 bridged to line 5, the phrase "having a silver based functional layer, and at least one of the functional substacks" has been deleted.

In line 7, before the silver-based, "the" has been deleted and ---a-- has been inserted.

Claim 8: Cancelled

Claim 11: In line 2, after "in" and before "at", "the" has been deleted.

Claim 12: In line 2, after "in" and before "at", "the" has been deleted

Claim 13: In line 2, after "wherein" and before "at", "the" has been deleted

Claims 16-31: Cancelled

<u>Claim 32</u>: In line 4 bridged to line 5, the phrase "including a silver based functional layer, and at least one of the functional substacks" has been deleted.

In line 8, before the silver-based, "the" has been deleted and ---a--- has been inserted

Claim 37: Cancelled

Claims 43-51: Cancelled

Claim 52: Cancelled

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Claim 54: Cancelled

The following new claims have been added;

<u>Claim 55:</u> A process for manufacturing a transparent substrate including glass and provided with a thin-film stack, the process comprising:

depositing on the transparent substrate a thin-film stack including at least three functional substacks of layers, each of the functional substacks having a structure including

a low dielectric layer,

a silver-based functional layer

an upper dielectric layer, and

an upper layer of Si₃N₄, AIN, or a mixture of Si₃N₄ and AIN

wherein the thin-film stack has a resistance R< 1.5 Ω per square, and the transparent substrate is transformable via a heat treatment at a temperature of at least 500 °C.

<u>Claim 56</u>: The process as claimed in claim 55, wherein at least four silver-based functional layers are deposited on the substrate.

<u>Claim 57</u>: The process as claimed in claim 55, wherein the total thickness of silver-based functional layers in the thin-film stack is greater than or equal to 25nm.

<u>Claim 58</u>: The process as claimed in claim 55, wherein each of the functional substacks associates the silver-based functional layer with at least one subjacent of superiacent layer.

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<u>Claim 59</u>: The process as claimed in claim 55, wherein the transparent substrate is directly coated with a layer based on Si_5N_4 . AIN or a mixture of Si_5N_4 and AIN.

<u>Claim 60</u>: The process as claimed in claim 55, wherein, in at least one of the functional substacks, an upper absorbent metal layer is deposited on top of the silver-based functional layer and beneath at least one upper dielectric layer.

<u>Claim 61</u>: The process as claimed in claim 55, wherein, in at least one of the functional substacks, a lower absorbent metal layer is deposited on top of at least one lower dielectric layer and beneath the silver-based functional layer.

 $\label{eq:claim 62} \mbox{Claim 62: The process as claimed in claim 55, wherein, at least one of the functional substacks deposited has the following structure: ZnO/Ag/.../ZnO/ Sl_3N_4.$

Claim 63: The process as claimed in claim 62, wherein,

the thin-film stack includes three silver-based functional layers, and

the corresponding thicknesses of the constituent layers of the at least one of the functional substacks of the structure: $ZnO/Ag/.../ZnO/Si_3N_4$ are: 5 to 15/10 to 17/...5 to 15/25 to 65nm.

Claim 64: The process as claimed in claim 62, wherein,

the thin-film stack includes four silver-based functional layers, and

the corresponding thicknesses of the constituent layers of the at least one of the functional substacks of the structure: $ZnO/Ag/.../ZnO/Si_8N_4$ are: 5 to 15/7 to 15/...5 to 15/23 to 65nm.

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<u>Claim 65</u>: The process as claimed in claim 55, wherein the functional substacks are deposited by passing the substrate several times through a single manufacturing device.

<u>Claim 66</u>: The process as claimed in claim 65, wherein the thin-film stack comprises four silver-based functional layers and the functional substacks are deposited in pairs by passing the substrate twice through the single manufacturing device.

<u>Claim 67</u>: The process as claimed in claim 66, wherein the thicknesses of layers of the deposited functional substacks are substantially identical during each of the two passes.

Claim 68: The process as claimed in claim 55, wherein the transparent substrate is transformable via a heat treatment at a temperature of at least 500 °C such that the resistance R of the transparent substrate is reduced by at least 10%.

Claim 69: The process as claimed in claim 55, wherein in a thin-film stack including three silver-based functional layers, the total thickness of the silver-based functional layers deposited is between 35 and 50nm, and in a thin-film stack including at least four silver-based functional layers, the total thickness of the silver-based functional layers deposited is between 28 and 64nm.

<u>Claim 70:</u> The process as claimed in claim 55, wherein, for each of the functional substacks, the lower dielectric layer is deposited beneath the silver-based functional layer and the upper dielectric layer is deposited on the silver-based functional layer,

wherein the lower dielectric layer and the upper dielectric layer are based on ZnO and dopeable with aluminum.

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<u>Claim 71:</u> The process as claimed in claim 55, wherein, in each of the functional substacks, an upper absorbent metal layer based on Ti is deposited on top of the silver-based functional layer and beneath the upper dielectric layer.

Claim 72: The process as claimed in claim 55, wherein, in each of the functional substacks, a lower absorbent metal layer based on Ti is deposited on top of the lower dielectric layer and beneath the silver-based functional layer.

 $\label{eq:claim 73:} \mbox{ The process as claimed in claim 55, wherein, each of the functional substacks deposited has the following structure: ZnO/Ag/Ti/ZnO/ SisN4.}$

Claim 74: The process as claimed in claim 73, wherein, the thin-film stack includes three silver-based functional layers and the corresponding thicknesses of the constituent layers of each of the functional substacks of the structure: : ZnO/Ag/Ti/ZnO/Si₃N₄ are: 5 to 15/10 to 17/0.2 to 3/5 to 15/25 to 65nm.

Claim 75: The process as claimed in claim 73, wherein, the thin-film stack includes four silver-based functional layers and the corresponding thicknesses of the constituent layers of each of the functional substacks of the structure: : $ZnO/Ag/Ti/ZnO/Si_3N_4$ are: 5 to 15/7 to 15/0.2 to 3/5 to 15/23 to 65nm.

<u>Claim 76</u>: The process as claimed in claim 68, wherein the resistance R of the transparent substrate is reduced by at least 15%.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREN ROBINSON whose telephone number is Art Unit: 1784

(571)270-3474. The examiner can normally be reached on Monday to Thursday 6am to 4om.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on 571-272-1540. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LAUREN ROBINSON/ Examiner, Art Unit 1784

/Timothy M. Speer/ Primary Examiner, Art Unit 1784